

COMMITTEE AMENDMENT

[STAFF WORKING DRAFT]

May 15, 2002

Purpose: To establish a national emergency technology guard so that communities across the country can locate science and technology volunteers in times of emergency; to facilitate the spread of cutting-edge technologies to homeland security and emergency relief agencies by creating a center for evaluating antiterrorism and disaster response technology.

**IN THE COMMITTEE ON COMMERCE, SCIENCE, AND
TRANSPORTATION** —107TH Cong., 2D Sess.

S. 2037, 107TH Congress, 2D Session

MAY 16, 2002

INTENDED to be proposed by Mr. WYDEN

Viz: Strike out all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Science and Tech-
3 nology Emergency Mobilization Act”.

4 **SEC. 2. CONGRESSIONAL FINDINGS AND PURPOSE.**

5 (a) FINDINGS.—The Congress finds the following:

6 (1) In the aftermath of the terrorist attacks of
7 September 11, 2001, many private-sector technology
8 and science experts provided valuable assistance to
9 rescue and recovery efforts by donating their time

1 and expertise. However, many who wished to help
2 had significant difficulty determining how they could
3 be most useful. They were hampered by the lack of
4 any organizational structure to harness their abili-
5 ties and coordinate their efforts.

6 (2) A prompt and well-coordinated volunteer
7 base of technology and science expertise could help
8 save lives, aid rescue efforts, and rebuild critical
9 technology infrastructures in the event of a future
10 major terrorist attack, natural disaster, or other
11 emergency. Technology and science expertise also
12 could help minimize the vulnerability of critical in-
13 frastructure to future attacks or natural disasters.

14 (3) Police, fire personnel, and other local emer-
15 gency responders frequently could benefit from time-
16 ly technological assistance, and efforts to organize a
17 system to assist in locating the desired help should
18 be expedited.

19 (4) Efforts to develop and deploy innovative
20 new technologies for use by government emergency
21 prevention and response agencies would be improved
22 by the designation of a clear contact point within the
23 federal government for intake and evaluation of
24 technology ideas.

1 (5) The creation of compatible communications
2 systems would strengthen emergency response ef-
3 forts of police, fire, and other emergency response
4 personnel to communicate effectively with each other
5 and with their counterparts from nearby jurisdic-
6 tions. Some programs, such as the Capital Wireless
7 Integrated Network (CapWIN), have made signifi-
8 cant progress in addressing the issue of interoper-
9 able communications between emergency service pro-
10 viders in particular urban areas and the Federal
11 government has sought to address the issue through
12 the Public Safety Wireless Networks program. Rel-
13 atively few States and localities, however, have
14 achieved a sufficient level of communications inter-
15 operability.

16 (b) PURPOSE.—The purpose of this Act is to rein-
17 force, focus, and expedite ongoing efforts to mobilize
18 America’s extensive capability in technology and science
19 in responding to the threats posed by terrorist attacks,
20 natural disasters, and other major emergencies, by
21 creating—

22 (1) a national emergency technology guard or
23 “NET Guard” that includes—

1 (A) Rapid response teams of volunteers
2 with technology and science expertise, organized
3 at the local level; and

4 (B) opportunities for NET Guard volun-
5 teers to assist with non-emergency tasks related
6 to local preparedness and prevention, including
7 reducing the vulnerability of government infor-
8 mation technology systems;

9 (2) a national clearinghouse for innovative civil-
10 ian technologies relating to emergency prevention
11 and response; and

12 (3) a pilot program to assist state efforts to
13 achieve the interoperability of communications sys-
14 tems used by fire, law enforcement, and emergency
15 preparedness and response agencies.

16 **SEC. 3. ESTABLISHMENT OF NATIONAL EMERGENCY TECH-**
17 **NOLOGY GUARD.**

18 (a) IN GENERAL.—Not later than 1 year after the
19 date of enactment, the President shall designate within an
20 appropriate department, agency, or office a repository
21 database of nongovernmental technology and science ex-
22 perts who have offered, and who can be mobilized, to help
23 Federal agencies counter terrorism.

24 (b) NET GUARD DISASTER RESPONSE TEAMS.—

1 (1) CERTIFICATION PROCEDURES.—The Presi-
2 dent shall designate an appropriate department,
3 agency, or office to develop a procedure by which a
4 group of volunteers with technological or scientific
5 expertise are encouraged to team with individuals
6 from the state and local governments; local emer-
7 gency response agencies; and nongovernmental emer-
8 gency aid, assistance, and relief organizations.

9 (2) TEAM FORMATION.—The entity designated
10 may develop and implement a system for facilitating
11 the formation of such volunteers to be incorporated
12 into local teams by helping individuals that wish to
13 participate in such teams to locate and contact one
14 another.

15 (3) CRITERIA FOR CERTIFICATION.—The entity
16 designated shall establish criteria for the certifi-
17 cation of such teams, including—

18 (A) the types of expertise, capabilities, and
19 equipment required; and

20 (B) minimum training and practice re-
21 quirements, including participation in not less
22 than 2 emergency drills each year.

23 (4) CERTIFICATION AND CREDENTIALS.—The
24 entity designated shall

1 (A) certify any group of individuals re-
2 questing certification as a NET Guard disaster
3 response team that complies with the proce-
4 dures established under paragraph (1) and
5 meets the criteria established under paragraph
6 (3);

7 (B) issue credentials and forms of identi-
8 fication as appropriate identifying each such
9 team and its members; and

10 (C) suspend, withdraw, or terminate cer-
11 tification of and recover credentials and forms
12 of identification from any NET Guard team, or
13 any member thereof, when the head of the enti-
14 ty designated deems it appropriate.

15 (5) COMPENSATION; PER DIEM, TRAVEL, AND
16 TRANSPORTATION EXPENSES.—The entity des-
17 ignated may authorize the payment to a member of
18 a NET Guard disaster response team, for the period
19 that member is engaged in performing duties as
20 such member at the request of the United States—

21 (A) compensation as employees for tem-
22 porary or intermittent services as experts or
23 consultants under section 3109 of title 5,
24 United States Code; and

1 (B) travel or transportation expenses, in-
2 cluding per diem in lieu of subsistence, as pro-
3 vided by section 5703 of title 5.

4 (d) ADDITIONAL AUTHORITIES.—The head of the en-
5 tity designated may—

6 (1) activate NET Guard disaster response
7 teams in an emergency (as defined in section 102(1)
8 of the Robert T. Stafford Disaster Relief and Emer-
9 gency Assistance Act (42 U.S.C. 5122(1)) or a
10 major disaster (as defined in section 102(2) of that
11 Act);

12 (2) provide for access by team members to
13 emergency sites; and

14 (3) assign, on a voluntary basis, NET Guard
15 volunteers to work, on a temporary basis on—

16 (A) the development and maintenance of
17 the database described in subsection (a) and the
18 procedures for access to the database; and

19 (B) such other technology related projects
20 to improve emergency preparedness and preven-
21 tion as may be appropriate.

22 **SEC. 4. CENTER FOR CIVILIAN HOMELAND SECURITY**
23 **TECHNOLOGY EVALUATION.**

24 (a) IN GENERAL.—The President shall establish a
25 Center for Civilian Homeland Security Technology Eval-

1 uation within the Executive Branch to evaluate innovative
2 technologies relating to security and emergency prepared-
3 ness and response and to serve as a national clearinghouse
4 for such technologies.

5 (b) FUNCTION.—The Center shall—

6 (1) serve as a principal, national contact point
7 for the intake of innovative technologies relating to
8 security and emergency preparedness and response;

9 (2) evaluate promising new technologies relating
10 to security and emergency preparedness and re-
11 sponse;

12 (3) assure persons and companies that have
13 submitted a technology receive a timely response to
14 inquiries;

15 (4) upon request by Federal agencies consult
16 with and advise Federal agencies about the develop-
17 ment, modification, acquisition, and deployment of
18 technology relating to security and emergency pre-
19 paredness and response; and

20 (5) provide individuals and companies that have
21 submitted information about a technology the ability
22 to track, to the extent practicable, the current status
23 of their submission online.

24 (c) MODEL.—The Center may be modeled on the
25 Technical Support Working Group that provides an inter-

1 agency forum to coordinate research and development of
2 technologies for combating terrorism.

3 (d) INTERNET ACCESS.—

4 (1) IN GENERAL.—The President shall create
5 an online portal accessible through the First.Gov
6 Internet website, or any successor to such website,
7 to provide individuals and companies with innovative
8 technologies a single point of access to the Center
9 and a single point of contact at each Federal agency
10 participating in the Center.

11 (2) FUNCTIONS.—The Center portal shall—

12 (A) provide individuals and companies with an
13 online opportunity to obtain information about var-
14 ious open solicitations relevant to homeland security
15 and points of contact for submission of solicited and
16 unsolicited proposals; and

17 (B) include safeguards to ensure that business
18 proprietary information is protected and that no per-
19 sonally identifiable information is accessible to unau-
20 thorized persons.

21 (e) PROCUREMENT NOT CONDITIONED ON SUBMIS-
22 SION.—Nothing in this section requires a technology to
23 be submitted to, or evaluated by, the Center in order to
24 be eligible for procurement by Federal agencies.

1 **SEC. 5. COMMUNICATIONS INTEROPERABILITY PILOT**
2 **PROJECTS.**

3 (a) IN GENERAL.—The President shall establish
4 within an appropriate department, agency, or office a pilot
5 program for planning or implementation of interoperable
6 communications systems for appropriate emergency re-
7 sponse agencies.

8 (b) GRANTS.—The head of the entity designated in
9 subsection (a) shall make grants under the program of
10 \$5,000,000 each to 7 different States for pilot projects
11 under the program.

12 (c) CRITERIA; ADMINISTRATIVE PROVISIONS.—The
13 head of the entity designated in subsection (a), in con-
14 sultation with other appropriate agencies, shall prescribe
15 such criteria for eligibility for projects and for grantees,
16 including applications, fund use assurance and accounting,
17 and reporting requirements as the head of the entity
18 deems appropriate. In prescribing such criteria, the head
19 of the entity shall consult with the administrators of exist-
20 ing projects designed to facilitate public safety commu-
21 nications interoperability concerning the best practices
22 and lessons learned from such projects.

23 **SEC. 6. REPORTS.**

24 (a) WIRELESS COMMUNICATIONS CAPABILITIES FOR
25 FIRST RESPONDERS.—Within 1 year after the date of en-
26 actment of this Act, the President shall designate an ap-

1 appropriate department, agency, or office to submit a report
2 to the Congress setting forth policy options for ensuring
3 that emergency officials and first responders have access
4 to effective and reliable wireless communications capabili-
5 ties. The report shall include an examination of the possi-
6 bility of—

7 (1) developing a system of priority access to ex-
8 isting commercial wireless systems;

9 (2) designating national emergency spectrum to
10 be held in reserve for public safety and emergency
11 purposes; and

12 (3) creating a specialized public safety commu-
13 nications network or networks for use with wireless
14 devices customized for public safety use.

15 (b) IN-KIND DONATIONS.—Within 1 year after the
16 date of enactment of this Act, the Federal Emergency
17 Management Agency, in consultation with other appro-
18 priate Federal agencies, shall submit to the Committee on
19 Commerce, Science, and Transportation of the Senate and
20 the Committee on Science of the House of Representatives
21 a report on the barriers to acceptance by Federal agencies
22 of in-kind donations of technology and services during
23 emergency situations.

1 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) NATIONAL EMERGENCY TECHNOLOGY GUARD.—

3 There are authorized to be appropriated to the depart-
4 ment, agency, or officer to which subsection 3(a) refers
5 \$5,000,000 for each of fiscal years 2003 and 2004 to
6 carry out section 3.

7 (b) PILOT PROGRAMS.—There are authorized to be
8 appropriated to the entity designated in subsection 5(a)
9 \$35,000,000 for fiscal year 2003 to carry out section 5
10 of this Act, such seems to remain available until expended.

11 (c) REPORT.—There are authorized to be appro-
12 priated to the entity designated in subsection 6(a)
13 \$500,000 for fiscal year 2003 to carry out section 6(a)
14 of this Act.

15 **SEC. 8. EMERGENCY RESPONSE AGENCIES.**

16 In this Act, the term “emergency response agency”
17 includes agencies providing any of the following services:

- 18 (1) Law Enforcement services.
- 19 (2) Fire services.
- 20 (3) Emergency Medical services.
- 21 (4) Public Safety Communications.
- 22 (5) Emergency Preparedness.

○